

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Appeal for denial of 2010 funding by USAC Schools)
and Libraries Division to the School District of) CC Docket No. 02-6
Milton Wisconsin)

**—APPEAL—
REQUEST FOR REVIEW AND WAIVER OF DECISION
OF THE UNIVERSAL SERVICE ADMINISTRATOR**

Appellant:

School District of Milton (BEN# 132972)
John Holt, Technology Director
430 E High Street
Milton WI 53563-1502
(608) 868-9570 fax (608) 868-9275
holtjo@mail.milton.k12.wi.us

RE: Appeal for denial of 2010 funding for the following funding request:

FRN: 2043516

Form 470: 135090000801789

Form 471: 756126

Service provider: Open text, Inc. (Spin# 143029766)

To Whom It May Concern:

The School District of Milton (WI) is appealing the denial of 2010 funding for the above referenced funding request. The denial was in a USAC funding commitment letter we received dated December 13, 2011.

USAC reason for denying the funding request:

The Form 470 that established the competitive bidding process did not include the Internet category of service. Therefore, it does not meet the 28 day competitive bidding requirement.

District's rebuttal of USAC's reason for denying the request:

We believe that USAC incorrectly changed the category of service from Internal Connections to Internet. We applied for email software as an Internal Connection, because (1) it is a server-based (not Internet) service, and (2) our provider, Open text, Inc., indicated to us that this was an Internal Connection. Furthermore, page fourteen in the 2010 Eligible Services List clearly states that email software is eligible *as an Internal Connection*:

“E-mail software that is a server-based, shared product is eligible. If such a software product provides substantial additional functionality that is not eligible, such as archiving, database, workflow, or groupware features, only the e-mail portion of the product is eligible and the cost of the ineligible portion must be cost allocated.”

Based on the above, we do not believe that USAC's action to change the category of service was correct. We hope you will agree with us, grant our appeal and direct USAC to proceed with review of our funding request as an Internal Connection.

Thank you for your consideration of this matter. Please contact me if you have any questions. (I have given permission for Robert Bocher, E-rate coordinator for the Wisconsin Department of Public Instruction, to file this appeal on our behalf.)

Sincerely,



John Holt
Technology Director
School District of Milton